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10 Counsel for Cathay Pacific Airways Ltd.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TRANSPACIFIC PASSENGER AIR
TRANSPORTATION ANTITRUST
LITIGATION

CASE NO. 07-CV-5634-CRB

MDL No. 1913

**STIPULATION AND [PROPOSED]
ORDER REGARDING CERTAIN
DEFENDANTS' RESPONSES TO
PLAINTIFFS' SECOND AMENDED
CLASS ACTION COMPLAINT**

This Document Relates to:
ALL ACTIONS

WHEREAS, following the Court's Order on Motions to Dismiss on October 4, 2011 (Dkt. 556), Plaintiffs filed a First Amended Class Action Complaint ("FAC") on July 14, 2011 (Dkt. 493);

WHEREAS, the Defendants filed answers to the FAC on November 15, 2011;

WHEREAS, on October 15, 2013, the Plaintiffs filed a Motion for Leave to Amend to substitute named class representative, with a copy of their proposed Second Amended Class Action Complaint attached (Dkt. 735);

WHEREAS, on October 29, 2013, Defendants filed an Opposition to Plaintiffs' Motion for

1 Leave to Amend (Dkt. 736);

2 WHEREAS, on November 22, 2013, the Court entered an Order regarding the Plaintiffs'
3 Motion for Leave to Amend, which granted the Plaintiffs' motion and ruled that the Second
4 Amended Class Action Complaint be filed (Dkt 742);

5 WHEREAS, the Plaintiffs and Defendants have agreed that, given the substantial overlap
6 and the nature of the amendments between the SAC and the FAC, Defendants' previously filed
7 Answers to the FAC shall be deemed sufficient for responding to the SAC;

8 NOW THEREFORE IT IS HEREBY STIPULATED, by and between the undersigned
9 counsel for the parties, that Defendants' previously filed Answers to the FAC shall be deemed
10 sufficient for purposes of responding to the SAC. This means that to the extent an undersigned
11 Defendant admitted, denied or objected to, in full or in part, any allegation in the FAC, that
12 Defendant shall be deemed to have admitted, denied or objected to, in full or in part, the same
13 substantive allegation set forth in the SAC. This also means that all defenses asserted in the FAC
14 are also asserted against the SAC.

15
16 IT IS SO STIPULATED.

17 **COTCHETT, PITRE & McCARTHY, LLP**

18 Joseph W. Cotchett

Steven N. Williams

19 By: _____

20 Steven N. Williams

21 *Interim Co-Lead Counsel for Plaintiffs*

23 **HAUSFELD, LLP**

24 Michael D. Hausfeld

25 Michael P. Lehmann

Christopher Lebsack

26 By: _____

27 Christopher Lebsack

28 *Interim Co-Lead Counsel for Plaintiffs*

Stipulation and Order Regarding Certain
Defendants' Responses to the Second Amended
Complaint

CASE NO. 07-CV-5634-CRB

DLA PIPER LLP
David H. Bamberger
Deana L. Cairo

By: /s/**David H. Bamberger**
David H. Bamberger
Counsel for Defendant Cathay Pacific Airways

SQUIRE SANDERS & DEMPSEY, LLP
James V. Dick

By: /s/James V. Dick
James V. Dick
Counsel for Defendant China Airlines

KIRKLAND & ELLIS LLP
James H. Mutchnik

By: /s/James H. Mutchnik
James H. Mutchnik
Counsel for Defendant EVA Airways

CRAVATH, SWAINE & MOORE LLP
Rowan D. Wilson
Lauren Rosenberg

By: /s/Rowan D. Wilson
Rowan D. Wilson
*Counsel for Defendant Thai Airways
International Public Co., Ltd.*

Stipulation and Order Regarding Certain Defendants' Responses to the Second Amended Complaint

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ATTESTATION CLAUSE

I, Deana Cairo, hereby attest in accordance with Civil Local Rule 5-1(i)(3) the above-listed counsel have provided concurrence with the electronic filing of the foregoing document entitled STIPULATION AND [PROPOSED] ORDER REGARDING CERTAIN DEFENDANTS' ANSWERS TO THE SECOND AMENDED COMPLAINT.

DATED: December 6, 2013

/s/Deana L. Cairo

Deana L. Cairo

DLA PIPER LLP (US)

Counsel for Defendant Cathay Pacific Airways Ltd.

IT IS SO ORDERED.

DATED: Dec 11, 2013

HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT COURT JUDGE

Stipulation and Order Regarding Certain Defendants' Responses to the Second Amended Complaint

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